

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

TODD LEE ARNOLD,)	
)	
Movant,)	
)	
v.)	No. 1:07CV00160 ERW
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This matter is before the Court on movant's motion to vacate, correct illegal sentence pursuant to 28 U.S.C. § 2255. The motion will be summarily denied.

Pursuant to Rule 4 of the Rules Governing § 2255 Proceedings, the Court is required to conduct an initial review of the motion. Upon review, the Court is required to summarily dismiss the motion "[i]f it plainly appears from the motion . . . that the moving party is not entitled to relief . . ." Rule 4 of the Rules Governing § 2255 Proceedings.

On October 28, 2002, movant pled guilty to one count of felon in possession of a firearm.¹ On April 28, 2003, this Court sentenced movant to a thirty-month term of

¹United States v. Arnold, 1:02CR0070 ERW (E.D. Mo. 2003).

imprisonment and a three-year term of supervised release. Movant did not file a notice of appeal, nor did he timely file a motion pursuant to § 2255.

Movant's term of supervised release began on April 1, 2005. On July 1, 2006, this Court transferred jurisdiction over movant's supervised release to the Eastern District of Texas.

Movant now seeks to vacate the judgment on the basis that the United States does not have jurisdiction over the "sovereign citizens" of the State of Missouri.

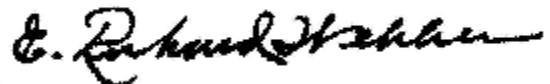
First, the motion is time-barred because it has been filed well outside of § 2255's one year statute of limitations. 28 U.S.C. § 2255. Second, even if the motion had been timely filed, it would be summarily denied because movant's arguments are patently frivolous. As a result, the motion shall be denied.

Additionally, because movant has failed to make a substantial showing of the denial of a constitutional right, the Court will not issue a Certificate of Appealability.

Accordingly,

IT IS HEREBY ORDERED that movant's motion to vacate, correct illegal sentence pursuant to 28 U.S.C. § 2255 is **DENIED**.

So Ordered this 27th Day of November, 2007.



E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE